

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PATRICK PERKINS,

Plaintiff,

v.

**No.: 3:16-cv-00220
Crenshaw/Brown**

**SPECTRACORP OF TENNESSEE, d/b/a
FANN MECHANICAL CO., and
RANDALL FANN,**

JURY DEMAND

Defendants.

DEFENDANTS' ADDITIONAL PROPOSED JURY INSTRUCTIONS

Come now Defendants, by and through counsel, and submit the following as Defendants' Proposed Jury Instructions:

PROPOSED JURY INSTRUCTION 25
EVIDENCE ADMITTED AGAINST ONLY ONE PARTY

Each party is entitled to have the case decided solely on the evidence that applies to that party. Some of the evidence in this case is limited under the rules of evidence to one of the parties, and cannot be considered against the others.¹

¹ 8TH Circuit Pattern Jury Instructions § 2.08 Modified

PROPOSED JURY INSTRUCTION 26
IMPEACHMENT OF WITNESS BY PRIOR CONVICTION

You have heard evidence that Plaintiff has been convicted of crimes. You may use that evidence only to help you decide whether to believe the witness and how much weight to give his testimony.²

² 8th Circuit Pattern Jury Instructions § 2.10 Modified

PROPOSED JURY INSTRUCTION 27
BUSINESS JUDGMENT

You may not return a verdict for the plaintiff just because you might disagree with the defendant's conduct or believe it to be harsh or unreasonable.³

³ 8th Circuit Pattern Jury Instructions § 5.02 Modified

PROPOSED JURY INSTRUCTION 28
EMPLOYER UNDER THE TENNESSEE HUMAN RIGHTS ACT

An Employer means persons employing eight (8) or more persons within the state.⁴

⁴ T.C.A. § 4-21-102(5)

Respectfully submitted,

/s/ Johnathon C. Hershman

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been sent to the following via the District Court's electronic filing system:

Kerry E. Knox
117 South Academy Street
Murfreesboro, Tennessee 37130

Stephen W. Grace
1019 16th Avenue, South
Nashville, Tennessee 37212

On this 8th day of September, 2017.

/s/Johnathon C. Hershman

JOHNATHON C. HERSHMAN